

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Billy J. Piatt,

Plaintiff(s),

vs.

Terry Collins, et. al.,

Defendant(s).

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Case Number: 1:08cv415

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on October 19, 2010 (Doc. 55), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired November 8, 2010, hereby ADOPTS said Report and Recommendation.

Accordingly, Defendant Stalnaker's motion for judgment on the pleadings (Doc. 49) is **GRANTED**. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Court's Order will not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court